

**Fire Safety Code Board  
Of Appeal and Review  
Hearing Minutes for January 12, 2010**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, January 12, 2010 at 1:00 P.M. Present were Chairman Coutu and Commissioners Dias, Jasparro, Preiss, Blackburn and Richard. Commissioners Filippi, Pearson, Walker, Jackson and Newbrook were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #080056: Nancy Ann Nursing Home, for the property located at 47 East Killingly Road, Foster. Deputy State Fire Marshals David Cionfolo and Christopher Moore appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioners Jasparro and Richard, to grant the Applicant a time variance of thirty days in which to submit plans for the correction of any outstanding deficiencies, including but not limited to a compliance fire alarm system, and an additional 120 days in which to implement that plan. The State Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being made by the Applicant. The motion was unanimous.**

**APPEAL #090401: Mr. Timothy J. LaRose, for the property located at**

**1639 Shannock Road, Charlestown. DSFM David Cionfola appeared for the State Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioners Richard and Preiss, to approve the Applicant's plan of action for the access road and turnaround area at the Shannock water District's new water treatment facility. The motion was unanimous.**

**APPEAL #070276: Ms. Karen Day, for the property located at 438 East Main Road, Middletown. ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's office and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. It was determined that the Middletown and State Fire Marshal's offices would re-inspect the facility and the Applicant will return to the Board on March 30, 2010. No action was taken at this time.**

**APPEAL #070342: Mr. Harry Kyriakides, for the property located at 240 Aquidneck Avenue, Middletown. ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan of action for this facility as outlined in the Marshal's January 11, 2010 letter to the Board. In addition, the Applicant is granted a time variance, prior to the re-opening of the facility in march of 2010, to install AC powered smoke alarms with battery back-up, egress signs and emergency lighting, at the direction and to the satisfaction of the Middletown Fire Marshal's**

office. The Applicant has testified that the current structure is scheduled to be demolished. Accordingly, the Applicant is granted a time variance of 24 months to utilize this alternative system. The motion was unanimous.

**APPEAL #080275, and 090320 through 090333:** Mr. Dan DeStefano, for the Northgate Apartments, located at 3 Admiralty Drive in Middletown. ADSFM Thomas Karpovitz appeared for the Middletown Fire Marshal's office. For buildings 1 through 11, Commissioner Dias made a motion, seconded by Commissioner Richard, to approve the Applicant's plan of action, which includes replacing the cited railings on an as-needed basis. The motion passed with Commissioner Blackburn abstaining.

For buildings A/B and C-G, Commissioner Richard made a motion, seconded by Commissioner Dias, to approve the Applicant's plan of action for the correction of any outstanding deficiencies that may remain. The facility appears to be compliant with respect to the remoteness of the stairways, however if it is deemed not to be in compliance, the Board grants a variance for this situation based on structural hardship. The motion was unanimous.

**Old Business:** The Board continued to discuss compliance issues regarding marinas. A plan of action will be presented to the Board by members of the marina association at the Board's next meeting.

**Respectfully submitted**

**Carol Marsella**